

Notice of Allowability

Application No.

09/814,304

Examiner

Doug Hutton

Applicant(s)

MILLER, ROBERT A.

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's Response filed 05/24/2006.
2. ☒ The allowed claim(s) is/are 27,29-31 and 33-40.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Doug Hutton
Primary Examiner
Art Unit: 2176

Applicant's Response

In Applicant's Response dated 05/24/2006, Applicant amended Claims 27, 31, 37 and 39, cancelled Claims 28, 32 and 41-48, and argued against all objections and rejections previously set forth in the Office Action dated 03/28/2006.

In light of Applicant's amendments, all objections and rejections previously set forth are withdrawn.

Allowable Subject Matter

Claims 27, 29-31 and 33-40 are allowed.

The following is an examiner's statement of reasons for allowance:

Claims 27, 31, 37 and 39:

The closest prior art is Mercer (US 6,547,830) and Kojima (US 6,633,401), which are discussed throughout the prosecution of the present application and in the following paragraphs.

Mercer discloses a text display system that processes and displays documents on a cellular telephone display screen. The system includes "Maximize Text Displayed" software comprising a "vertical distance reduction" module, a "font substitution" module and a "horizontal distance reduction" module. The maximization of the displayed text performed by the Maximize Text Displayed software is a "*higher level formatting rule*,"

whereas the vertical distance reduction, the font substitution and the horizontal distance reduction performed by the modules of the software are "*lower level formatting rules*." The system applies the rules to a web page accessed by a user in order to format the web page for display on the cellular telephone display screen.

Kojima discloses an image forming system that creates an image based on transmitted data and processes the data for printing it in hard copy. The system comprises a sheet-saving print process that includes line pitch and font size reduction rules and an "ignore form feed code" rule for reformatting the data that is to be printed. The goal of saving sheets is a "*higher level formatting rule*," whereas each of the rules are "*lower level formatting rules*." The system applies the rules to data that is to be printed in order to reduce the amount of paper required to print the data.

The prior art fails to disclose or suggest a method of formatting print data that uses both higher level and lower level formatting rules, wherein a maximum of permitted change for the lower level formatting rule is established and the lower level rule is applied to the print data either:

- until the lower level rule is met; or
- until the maximum of permitted change for the lower level rule is reached,

whichever occurs first.

Claims 29, 30, 33-36, 38 and 40:

These claims are dependent upon Claims 27, 31, 37 and 39, and are thus allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Doug Hutton whose telephone number is 571-272-4137. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

WDH
June 2, 2006



**DOUG HUTTON
PRIMARY EXAMINER
TECH CENTER 2100**